

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMES STUDER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 3:23-CV-03009-NJR

ORDER AWARDING FEES

ROSENSTENGEL, Chief Judge:

Pending before the Court is a Motion for Attorney Fees under the Equal Access to Justice Act (“EAJA”) filed by Plaintiff James Studer. (Doc. 21). Plaintiff requests a total attorney’s fee award of \$2,937.50. (*Id.*). Defendant Commissioner of Social Security filed a response to Plaintiff’s motion (Doc. 22) presenting no objection to the request.

The Court finds that Plaintiff is the prevailing party and is entitled to an award of attorney’s fees pursuant to the EAJA, 28 U.S.C. § 2412(d)(1)(B). Plaintiff requests \$2,937.50, which the Court finds reasonable and appropriate. Thus, Plaintiff’s motion (Doc. 21) is **GRANTED**.

Plaintiff is awarded **\$2,937.50** for attorney’s fees and expenses in full satisfaction of any and all claims that may be payable to Plaintiff in this matter under the EAJA, 28 U.S.C. § 2412. Any fees paid belong to Plaintiff and not Plaintiff’s attorney and can be offset to satisfy any pre-existing debt that the litigant owes the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010). If Defendant can verify that Plaintiff does not owe a pre-

existing debt to the Government subject to the offset, Defendant will direct that the award be made payable to Plaintiff's attorney, **Brent Gaines**, pursuant to the EAJA assignment duly signed by Plaintiff. If payment is mailed, as compared to electronically deposited, it shall be mailed to counsel's address of record: **Law Office of Brent Gaines, 12 South Second Street, Belleville, IL 62220.**

IT IS SO ORDERED.

DATED: October 15, 2024

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style. To the right of the signature, there is a faint circular seal, which appears to be the official seal of the U.S. District Court for the Southern District of Illinois.

NANCY J. ROSENSTENGEL
Chief U.S. District Judge